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A DIGEST

OF

INTERNATIONAL LAW

AS EMBODIED IN

DIPLOMATIC DISCUSSIONS, TREATIES AND OTHER INTERNATIONAL AGREEMENTS, INTERNATIONAL AWARDS, THE DECISIONS OF MUNICIPAL COURTS, AND THE WRITINGS OF JURISTS,

AND ESPECIALLY IN

DOCUMENTS, PUBLISHED AND UNPUBLISHED, ISSUED BY PRESIDENTS AND SECRETARIES OF STATE OF THE UNITED STATES, THE OPINIONS OF THE ATTORNEYS-GENERAL, AND THE DECISIONS OF COURTS, FEDERAL AND STATE.

BY

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IN EIGHT VOLUMES.

VOLUME VIII.

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ADDENDA AND ERRATA

Vol. I, p. 533.—At bottom of page, reference "*a*," "Hay, Sec. of State, to Count Lichtervelde, Belgian min.," instead of "July 31, 1888," substitute "July 31, 1899."

Vol. I, p. 696.—Near bottom of page, reference "*c*," "Seward, Sec. of State, to Sir F. Bruce, Brit. min.," instead of "Nov. 4, 1895," substitute "Nov. 4, 1865."

Vol. IV, p. 96.—In paragraph beginning "See, in this relation," instead of "Oct. 15, 1900," substitute "Oct. 5, 1900."

Vol. IV, p. 148.—Omit the seventh line from the foot of the page, beginning "Senate" and ending "Depart.," and insert instead: "Mr. Bayard, Sec. of State, to Sir L. West, Brit. min., May 7, 1887; Sir L. West to Mr. Bayard."

Vol. IV, p. 345.—In paragraph beginning "In support of this statement," etc., instead of "Feb. 17, 1897," substitute "Feb. 7, 1887."

Vol. IV, p. 501.—In fourth line from top, after "MS. Inst. Am. St.," insert "XVI. 382."

Vol. IV, p. 501.—In seventh line from top, after "Sec. of War" and before "62 MS. Dom. Let. 457," insert "Dec. 16, 1863."

Vol. IV, p. 580.—Near top of page, first reference, after "Mr. R. Smith, Sec. of State, to Gen. S. Smith, M. C.," insert "Feb. 15, 1810."

Vol. IV, p. 591.—In first line of last paragraph, which begins "August 5, 1901, hostilities," instead of "China" substitute "Colombia."

Vol. IV, p. 597.—In paragraph beginning "The consul at Guayaquil" insert, after "Mr. Frelinghuysen, Sec. of State" and before "MS. notes to Switzerland," date "Dec. 26, 1883."

Vol. IV, p. 597.—In eighth line from bottom, instead of "Travel" substitute "Tavel."

Vol. IV, p. 625.—In the reference "Mr. Fish, Sec. of State, to Mantilla, Span. min.," insert, after "Sept. 27," the year "1875."

Vol. IV, p. 627.—In the reference "London, At. Gen., 1804, 1 Op., 141," substitute "Lincoln" instead of "London."

Vol. IV, p. 646.—About the middle of page, after "Mr. Webster, Sec. of State, to Mr. Fendall, dist. atty , D. C.," insert "Aug. 24, 1852."

Vol. IV, p. 672.—About the middle of page, after "Mr. Day, Sec. of State, to Mr. Newel, min. to the Netherlands, No. 124," insert "June 10, 1898."

Vol. IV, p. 784.—Second reference, following last principal paragraph, and beginning "See to the same effect," insert, after "Mr. Bayard, Sec. of State, to Bispham," date "June 24, 1885."

Vol. V, p. 170.—In first line from top, instead of "June 15, 1865," substitute "June 16, 1865."

Vol. V, p. 330.—In seventh line from top, instead of "52 Cong. 1 sess.," substitute "52 Cong. 2 sess."

Vol. V, p. 369.—In first reference, before "enclosing the text of," insert "Mr. White, min. to Germany, to Mr. Blaine, Sec. of State, July 30, 1881."

Vol. V, p. 480.—About the middle of page, in paragraph beginning "See also circular telegrams," insert, after "representatives at," the word "Paris."

Vol. V, p. 483.—In tenth line from top, instead of "Aug. 8, 1900," substitute "Aug. 7, 1900."

Vol. V, p. 652.—In fifth line from bottom, instead of "Maheuil," substitute "Mareuil."

Vol. VI, p. 344.—In third line from top, instead of "Dec. 18, 1895," substitute "Dec. 7, 1895."

Vol. VI, p. 401.—In paragraph beginning "In the text of Adams's memorandum," instead of "Nov. 27, 1824," substitute "Nov. 27, 1823."

Vol. VI, p. 447.—About middle of page, in reference of "Mr. Gallatin to Mr. Clay," instead of "Dec. 22, 1866," substitute "Dec. 22, 1826."

Vol. VI, p. 508.—In paragraph beginning "Replying to an inquiry," instead of "Dec. 22, 1823," substitute "Dec. 2, 1823."

Vol. VI, p. 660.—In Wharton's International Law Digest, Vol. II., p. 678, a letter of Mr. Fish, Secretary of State, to Mr. "Ruger," of Oct. 21, 1869, is cited as authority for the following proposition: "A claim against a foreign government based on misconduct of its domestic officials must be presented to the judicial department of such government when such a department is fairly organized and has jurisdiction of the case." This statement, with a similar citation, is repeated in the present Digest, Vol. VI., p. 660. The letter of Mr. Fish related to a complaint of Mr. Emil Riger as to certain action of the judicial authorities of Denmark. Mr. Riger represented that, having established a commercial house in the United States, of which country he became a naturalized citizen, he contracted through an agent in Bremen a debt to a citizen of that place; that, having afterwards become a bankrupt, he received in due course from the courts of the United States a discharge from his debts, including that due to his Bremen creditor, who had presented his claim to the court in which the bankruptcy proceedings were conducted; but that afterwards, having returned to Europe, he was arrested in Denmark in a civil action for debt, at the suit of that creditor. In this predicament, Mr. Riger invoked the interposition of the United States. Mr. Fish, in reply, said:

"Though this presents a case of great hardship, I can see in the facts nothing that would justify the official interference of this Government in your behalf.

"It is presumed that the courts of Denmark, like those of the United States, are impartially open to suitors, and that all questions before the courts will be patiently heard and justly decided, and if the rules of law in Denmark are like those which prevail in the United States, those courts will, if the facts appear as you state them, probably decide not to render judgment against you. I can not, however, perceive in the facts stated to me any just reason why those courts should not assume to investigate the case, provided the laws of Denmark confer such jurisdiction upon them; nor do I see how the Government of the United States can prevent them from binding you to the result of this investigation.

"A certificate of discharge from a court in bankruptcy can have no validity in a foreign country as against a foreign creditor representing a debt contracted in a foreign country, unless he has brought his claim within the jurisdiction of the courts of the United States by proving it, and thus putting himself in a position to share in the dividends. Whether, in case he does so prove it, such certificate will have weight in a foreign country will depend upon the local laws in such country, whose courts will undoubtedly act with due regard to the comity of nations.

"I shall ask the Minister at Copenhagen, unofficially, to use his good offices to secure such action and such regard in your case."

Vol. VI, p. 700.—In thirteenth line from bottom, strike out "March 21 and."

Vol. VII, p. 48.—Strike out the entire eighth line, beginning "if any, would have," and ending "request of the parties."

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